

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AUTHORIZING A NOTICE OF
APPLICATION ACCEPTANCE FOR A SAFE DRINKING
WATER STATE REVOLVING FUND (SDWSRF) LOAN,
AND AUTHORIZING OFFICERS TO ACT ON BEHALF OF
THE CITY

WHEREAS, a SDWSRF loan has been identified by staff as an attractive instrument to fund the Advanced Treatment Project at the William B. Cater Water Treatment Plant and the Ortega Groundwater Treatment Plant Rehabilitation Project;

WHEREAS, the City Administrator was authorized to apply for a Safe Drinking Water State Revolving Fund loan to pay for substantial portion of the costs of such projects; and

WHEREAS, the California Department of Water Resources has notified the City Administrator that the two projects, identified collectively by the SDWSRF as Project No. 4210010-004, are eligible for a SDWSRF loan in the amount of \$29,920,000 at an interest rate of 2.5017 percent to be repaid over twenty years.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

1. Council, subject to the approval and execution of the SDWSRF funding agreement, approves the loan amount of \$29,920,000 at an interest rate of 2.5017 percent to be repaid over twenty years.

2. The source of revenue for repayment of the loan shall be that portion of the Water Fund necessary to make full and complete repayment of the loan, established as the Advanced Treatment Project Fund and the Ortega Groundwater Rehabilitation Project Fund. The City shall revise rates pursuant to California law, specifically Article XIII C and/or Article XIII D of the California Constitution, as appropriate whenever necessary to satisfy debt service over the term of the loan.

3. The City Finance Director is authorized and directed to: approve claims for reimbursement, negotiate and execute one or more contracts as necessary to secure and provide for services of a Fiscal Agent to assist in administering repayment of the loan; complete and return the Fiscal Services Agreement; complete and sign any required Payee Data Record; provide security for the loan as may be contained in the funding agreement; disburse funds by, including without limitation, establishing separate funds and separate checking accounts, and preparing and executing security agreements and financing statements, and; execute the Certification Regarding Lobbying and all other administrative and financial requirements in accord with the process required by, or approved by, the officers, agents or employees of the California State Department of Water Resources.

4. The City Public Works Director acting directly or through the City Engineer or City Water Resources Manager, is authorized and directed to sign and return a Notice of Application of Acceptance; negotiate and execute an agreement with the California State Department of Water Resources for such Safe Drinking Water State Revolving Fund loan or loans; prepare and sign the Budget and Expenditure Summary; prepare and sign the Contractor's Release form; prepare and sign a certification that the project is complete and ready for final inspect, as appropriate; perform all services as required by permits, plans, specifications, environmental compliance and resource documents; and provide for the design, development, construction and completion of the project to comply with State requirements, on construction agreements, and design, services agreements approved by the City Council.

5. The City Administrator is authorized and directed to act on behalf of the City to negotiate, prepare and execute any and all related necessary agreements, commitments, claims, demands, adjustments, extension, compromises assurances, indemnity, security agreements, notices and/or certification required or useful to secure the benefits of a loan or loans for Cater Improvements from the California State Department of Water Resources.